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PTO/SB/21 (08-03)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/626,477
		Filing Date	July 23, 2003
		First Named Inventor	Martin KELLER
		Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	12	Attorney Docket Number	564462008100

ENCLOSURES (Check all that apply)				
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement – 3 pgs. <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO Form 1449 – 4 pgs + 1 duplicate; 31 references; postcard		
<table border="1"><tr><td>Remarks</td></tr><tr><td>CUSTOMER NUMBER 25225</td></tr></table>			Remarks	CUSTOMER NUMBER 25225
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CUSTOMER NUMBER 25225				

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP Gregory P. Einhorn - 38,440
Signature	
Date	June 14, 2004

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Dated: June 14, 2004

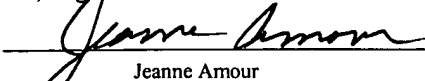
Signature: (Jeanne Amour)



PATENT
Docket No. 564462008100

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Jeanne Armour

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Martin KELLER

Serial No.: 10/626,477

Filing Date: July 23, 2003

For: HIGH THROUGHPUT OR
CAPILLARY-BASED SCREENING
FOR A BIOACTIVITY OR
BIOMOLECULE

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Pursuant to the USPTO notice dated July 11, 2003, waiving the requirement under 37 C.F.R. § 1.98 (a)(2)(i) to provide copies of U.S. Patents and U.S. Published Applications, copies of those references are not submitted. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of ___ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of ___ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicant would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 564462008100. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: June 14, 2004

Respectfully submitted,

By: 

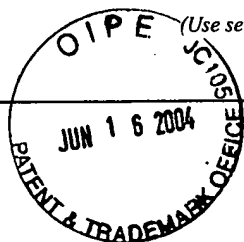
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Form PTO-1449

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)



Docket Number 564462008100

Application Number 10/626,477

Applicant

Martin KELLER

Filing Date July 23, 2003

Group Art Unit To Be Assigned

Mailing Date June 14, 2004

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	06-30-1981	US-4,276,048	Leaback, D.	023	230R	
	2.	08-16-1983	US-4,399,219	Weaver	435	034	
	3.	11-04-1986	US-4,621,059	Rokugawa, K.	435	291	
	4.	02-17-1987	US-4,643,968	Weaver	435	032	
	5.	03-03-1987	US-4,647,536	Mosbach et al.	435	177	
	6.	08-29-1998	US-4,861,718	Hirata et al.	435	207	
	7.	04-10-1990	US-4,916,060	Weaver	435	029	
	8.	09-25-1990	US-4,959,301	Weaver et al.	435	005	
	9.	10-08-1991	US-5,055,390	Weaver et al.	435	005	
	10.	12-22-1992	US-5,173,187	Nader et al.	210	614	
	11.	07-06-1993	US-5,225,332	Weaver et al.	435	029	
	12.	12-28-1993	US-5,274,240	Mathies et al.	250	458.1	
	13.	12-17-1996	US-5,584,982	Dovich N., et al.	204	603	
	14.	09-02-1997	US-5,663,046	Baldwin et al.	435	006	
	15.	09-23-1997	US-5,670,113	Akong et al.	422	063	
	16.	10-07-1997	US-5,675,155	Pentoney, Jr. et al.	250	458.1	
	17.	04-21-1998	US-5,741,411	Yeung et al.	204	452	
	18.	06-09-1998	US-5,763,263	Dehlinger, P. et al.	435	287	
	19.	07-21-1998	US-5,783,431	Peterson et al.	435	172.3	
	20.	08-04-1998	US-5,790,727	Dhadwal, H., et al.	385	038	
	21.	10-20-1998	US-5,824,485	Thompson, et al.	435	006	
	22.	11-10-1998	US-5,833,827	Anazawa, T., et al.	204	603	
	23.	11-17-1998	US-5,837,458	Minshull et al.	435	006	
	24.	12-01-1998	US-5,843,767	Beattie, K.	435	287.1	
	25.	08-17-1999	US-5,938,908	Anazawa, T., et al.	204	603	
	26.	11-09-1999	US-5,981,297	Baselt, David R.	436	514	

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>	Docket Number 564462008100	Application Number 10/626,477
	Applicant Martin KELLER	
	Filing Date July 23, 2003	Group Art Unit To Be Assigned
	Mailing Date June 14, 2004	

	27.	02-22-2000	US-6,027,873	Volker Schellenberger, et al.	435	004	
	28.	04-11-2000	US-6,048,444	Takahashi S., et al.	204	603	
	29.	04-25-2000	US-6,054,032	Haddad, L., et al.	204	451	
	30.	05-30-2000	US-6,068,977	Perlin	435	006	
	31.	07-04-2000	US-6,083,763	Balch, W.	436	518	
	32.	07-11-2000	US-6,086,740	Kennedy, C.	204	601	
	33.	07-11-2000	US-6,086,825	Sundberg, S., et al.	422	100	
	34.	07-18-2000	US-6,090,251	Sundberg, S., et al.	204	453	
	35.	01-16-2001	US-6,174,673	Short et al.	435	006	
	36.	05-08-2001	US-6,228,580	Blumenfeld et al.	435	006	
	37.	10-23-2001	US-6,306,578	Volker Schellenberger, et al.	435	004	
	38.	11-15-2001	US-2001/0041333	Short et al.	435	006	
	39.	01-22-2002	US-6,340,568	Hefti, John	435	006	
	40.	05-21-2002	US-6,391,576	Tsuchida et al.	435	030	
	41.	06-18-2002	US-6,406,893	Knapp et al.	435	091.2	

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Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO	
	42.	11-29-1990	WO 90/14590	WIPO				
	43.	10-05-1995	WO 95/26400	WIPO				
	44.	10-31-1996	WO 96/34112	WIPO				
	45.	06-02-1997	WO 97/04077	WIPO				
	46.	05-06-1997	WO 97/20078	WIPO				
	47.	06-12-1997	WO 97/20918	WIPO				
	48.	12-04-1997	WO 97/45730	WIPO				
	49.	12-24-1997	WO 97/48717	WIPO				
	50.	02-05-1998	WO 98/04920	WIPO				
	51.	07-02-1998	WO 98/28075	WIPO				

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	Applicant Martin KELLER	
	Filing Date July 23, 2003	Group Art Unit To Be Assigned
	Mailing Date June 14, 2004	

	52.	09-03-1998	WO 98/38490	WIPO				
	53.	12-17-1998	WO 98/56904	WIPO				
	54.	07-15-1999	WO 99/34920	WIPO				
	55.	09-05-1999	WO 99/39191	WIPO				
	56.	09-30-1999	WO 99/49294	WIPO				
	57.	09-30-1999	WO 99/49315	WIPO				
	58.	10-28-1999	WO 99/54494	WIPO				

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	59.	ABEIJON et al. Proc. Natl Acad Sci. 93:5963-5968 (1996).
	60.	CULLIS, Paul M. et al., "Exploiting Nucleotide Thiophosphates to Probe Mechanistic Aspects of Escherichia coli DNA Gyrase," <i>Biochemistry</i> , Vol. 36, pages 6059-6068 (1997).
	61.	HUSCHTSCHA, Lily I. et al., "A rapid micro method for counting cells "in situ" Using a fluorogenic alkaline phosphatase enzyme assay," <i>In Vitro Cellular & Developmental Biology</i> , Vol. 25, No. 1 January 1989, pgs. 105-108.
	62.	MANAFI, Mohammed et al., "Fluorogenic and Chromogenic Substrates Used in Bacterial Diagnostics," <i>Microbiological Reviews</i> , Vol. 55, No. 3, September 1991, pgs. 335-348.
	63.	MARGOLLES-CLARK, Emilio, "Molecular characterization of side-chain cleaving hemicellulases of <i>Trichoderma reesei</i> " (VTT Publications) (1996), 276, 123pp.
	64.	MIAO, F. et al., "A single-cell assay of β -Galactosidase in recombinant <i>E. coli</i> using flow cytometry," <i>Biotechnology and Bioengineering</i> , Vol. 42, pages 708-715. (1993).
	65.	PLOVINS, A. et al. Use of fluorescein-di- β -D-galactopyranoside (FDG) and C12-FDG as substrates for β -galactosidase detection by flow cytometry in animal, bacterial, and yeast cells. <i>Appl. and Environ. Microbiol.</i> 60(12):4638-4641(1994).
	66.	POWELL, K.T.; Weaver, J.C. "Gel microdroplets and flow cytometry: rapid determination of antibody secretion by individual cells within a population" <i>Biotechnology</i> April 1990, 8, 4, 333-337.
	67.	ROESSNER, C. A. and A. I. Scott. "Fluorescence-based method for selection of recombinant plasmids." <i>BioTechniques</i> 19(5):760-764 (1995).
	68.	ROTMAN, Boris et al., "Fluorogenic Substrates for β -D-Galactosidases and Phosphatases Derived from Fluorescein (3,6-Dihydroxyfluoran) and its Monomethyl Ether," <i>National Academy of Sciences</i> , Vol. 50, No. 1, July 15, 1963, pgs. 1-6.
	69.	TYAGI, S. et al, "Molecular Beacons: Probes the fluorescence upon hybridization" <i>Nature Biotechno.</i> 1996, 14, 303-308.
	70.	WEAVER, J.C.; Bliss, J.G.; Powell, K.T.; Harrison, G.I; Williams, G.B. "Rapid clonal growth measurements at the single-cell level: gel microdroplets and flow cytometry" <i>Biotechnology</i> 1991,

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